

U.S. DISTRICT COURT

FILED

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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

In Re:

US V. Alex Cook

Case No.:

3:10-cr-522

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HON. U.S. DISTRICT COURT PERSONALLY,

Please consider this letter a Motion pursuant to 18 USC 3585 for credit for time spent in enlarged conditions detention under U.S. MARSHALS PRETRIAL SERVICES ("US MARSHALS").

I have already addressed the BOP as required by law about their faulty view of the situation and they have either ignored it, refused to modify their stance as to their faulty calculations OR they wish and have implicitly or expressly directed that I have this court make the corrections by NUNC PRO TUNC designation and amendment to the US marshals form 129 designations.

The law requires only that I have been in US MARSHALS custody to receive the credit and offset against my sentence. And state law as invoked implicitly at 28 USC 2007 Et. Seq.; and FRCP 64/69 directs under its statutes and common law where federal law is silent that one must be credited all time in custody or the punishment will not be valid. The Undersigneds position is NOT that the punishment is invalid, if anything the Undersigned claims that if it is not corrected he is entitled to the accounting of the worth/value and a debt is owed to him of the amount of its value and punitive sums for he means by which it is removed from him without just compensation or due process of the law and without his consent.

I would ask that this court take such measures, and consider 42 USC 1988 as it proceeds, to give the Undersigned all of the time which he could have sued the US Marshals pretrial over as his "custodian" on 2241 in this sentencing court as HABEAS RIGHTS existing are proof of official custody and confinement within the meaning of the law sufficient to warrant offset by re-designation of such forms or amendment of the date of start of sentence to include the date when enlarged custody under US MARSHALS aka US MARSHALS PRETRIAL SERVICES agency of the ATTORNEY GENERAL/DOJ was first imposed through commitment to the BOP another component of the ATTORNEY GENERAL/DOJ.

WHEREFORE it is prayed that such relief requested be granted forthwith, and such further appropriate warranted relief deemed due and just under the totality of the circumstances including nullification of supervised release time to reflect any time which is beyond crediting because of exhaustion of the sentence imposed.

Respectfully Presented sworn true per 28 USC 1746 & Served on US ATTORNEY,

Alex D Cook
Alex D Cook

[L.S.]